

## Message Text

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PAGE 01 STATE 258198  
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 FTC-01 JUSE-00 COME-00  
CIAE-00 INR-07 NSAE-00 /032 R

DRAFTED BY EB/IFD/BP:TASCHLENKER:VJW  
APPROVED BY EB/IFD/BP:HJWINTER  
EUR/CE - RCASAGRANDE  
L/EUR - SBENSON  
EUR/RPE - RLAMANTIA  
FTC - MHAASE (INFO)

-----115560 282355Z /12

R 280305Z OCT 77  
FM SECSTATE WASHDC  
TO AMEMBASSY BONN  
USMISSION USBERLIN  
INFO AMEMBASSY BRUSSELS  
AMEMBASSY PARIS

UNCLAS STATE 258198

USEEC, USOECD

E.O. 11652: N/A

TAGS: ETRD, US, GW

SUBJECT: ANTITRUST: INVESTIGATION OF PROPOSED TENDER  
OFFER BY BAYER, A.G., FOR MILES LABORATORIES, INC.

1. DEPARTMENT HAS BEEN INFORMED BY FEDERAL TRADE COMMIS-  
SION THAT IT QUOTE HAS OPENED A PRELIMINARY NON-PUBLIC  
INVESTIGATION OF THE PROPOSED TENDER OFFER BY BAYER, A.G.,  
A WEST GERMAN COMPANY, FOR ALL OF THE SHARES OF MILES  
LABORATORIES, INC.

2. QUOTE: THE INVESTIGATION IS FOCUSING ON WHETHER THE  
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PAGE 02 STATE 258198

PROPOSAL WOULD VIOLATE SECTION 5 OF THE FEDERAL TRADE  
COMMISSION ACT AND SECTION 7 OF THE CLAYTON ACT.

3. QUOTE: THIS IS ONLY A PRELIMINARY INVESTIGATION AND  
NO COMPULSORY PROCESS HAS YET BEEN AUTHORIZED. IT IS  
BEING CARRIED OUT BY THE COMMISSION'S BUREAU OF COMPETI-  
TION IN WASHINGTON, D.C. WE DO NOT KNOW AT THIS TIME

WHETHER THE INVESTIGATION WILL REVEAL INFORMATION TO  
WARRANT FURTHER PROCEEDING BY THE COMMISSION. UNQUOTE

4. ADDRESSEES ARE REQUESTED TO INFORM APPROPRIATE AGENCIES  
OF FRG OF THE ABOVE INVESTIGATION UNDER THE 1967 OECD  
RECOMMENDATION PROCEDURES. PLEASE REPORT ANY COMMENT. VANCE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** ANTITRUST, LABORATORIES, PROPOSALS (BID), INVESTIGATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 28-Oct-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01-Jan-1960 12:00:00 am  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE258198  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** TASCHLENER:VJW  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770397-0930  
**Format:** TEL  
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**Legacy Key:** link1977/newtext/t1977109/aaaaahfe.tel  
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**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 18668d35-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EB  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
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**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
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**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
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**Review Withdrawn Fields:** n/a  
**SAS ID:** 1019962  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ANTITRUST: INVESTIGATION OF PROPOSED TENDER OFFER BY BAYER, A.G., FOR MILES LABORATORIES, INC.  
**TAGS:** ETRD, US, GE, MILES LABORATORIES INC, BAYER  
**To:** BONN USBERLIN  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/18668d35-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
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